

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL BUXBAUM,

Plaintiff,

-against-

VALERIE ROSANO,

Defendant.

25-CV-616 (JGLC)

**ORDER OF DISMISSAL**

JESSICA G. L. CLARKE, United States District Judge:

On February 27, 2025, the Court ordered Plaintiff to show cause as to why this case should not be dismissed for lack of subject matter jurisdiction. ECF No. 16. Plaintiff has responded with an amended complaint alleging breach of contract and intentional infliction of emotional distress. *See* ECF Nos. 19, 32. However, neither cause of action changes the fact that the underlying issue is a matrimonial dispute upon the subject of a divorce settlement. *See Bossom v. Bossom*, 551 F.2d 474, 475 (2d Cir. 1976) (reiterating that federal courts lack subject matter jurisdiction over matrimonial actions upon the subject of divorce). Moreover, Plaintiff has failed to explain how there is any obstacle to a full and fair determination in the state courts. *See id.* (holding that a federal court should still decline jurisdiction if the action is “on the verge” of being matrimonial in nature, “when there is no obstacle to a full and fair determination in the state courts”). Accordingly, the case is DISMISSED for lack of subject matter jurisdiction.

The Clerk of Court is directed to close the case and mail a copy of this Order to Plaintiff (at the address listed on the docket) and to Defendant (at the address listed in ECF No. 47).

Dated: April 15, 2025  
New York, New York

SO ORDERED.



JESSICA G. L. CLARKE  
United States District Judge